

REMARKS

Applicant respectfully requests further examination and reconsideration in view of the above amendments and arguments set forth fully below. Claims 1-23 were pending in this Application. Claims 4-13 and 15-20 have been previously withdrawn. Claims 1-3, 14, and 21-23 are now pending. Within the Office Action, Claims 1-3, 14 and 21-23 have been rejected. By way of the above amendments, Claims 1-11 and 13-23 have been amended. Accordingly, Claims 1-21 are still pending in this Application.

Objection to Claims:

Within the Office Action, Claim 2 has been objected to for an informality. Specifically, Claim 2 has been objected to for reciting “fire wall,” as two words, instead of “firewall” as a single word. By way of the above amendment, the term “fire wall,” in Claim 2 has been changed to read “firewall.”

Rejections Under 35 U.S.C. § 102(e):

Within the Office Action, Claims 1 and 3 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,199,165 to Grunner (hereafter “Grunner”). Applicant respectfully traverses the rejection of Claims 1 and 3 under 35 U.S.C. § 102(e) as being anticipated by Grunner for the following reasons.

Grunner teaches “a user system that recognizes data as being either secure or general (non-secure). The data may be for performing on-line transaction processing or banking via the Internet. The user system (2) transmits the secure data from an ISDN circuit (6) on the D-channel, and the general data on the B-channel. The digital exchange (8) routes the general data via the Internet (12) to a service provider (3). A frame handler in the digital exchange (8) recognizes the secure data in the D-channel and routes it via a **physically separate telecommunications link** (20) to the service provider (3).” [Grunner Abstract]

Grunner teaches a system for transmitting sensitive and non-sensitive data at the “user system level” and requires that the system have a separate transmission link, line or path for transmitting the non-sensitive data.

In contrast to the teachings of Grunner the present invention is directed to a “multi-path data transmission architecture” (MPDTA) at the server-systems level that is configured for controlling the distribution of sensitive and non-sensitive data at the server-systems level and

directly between the server-system and the web and does not require or use a separate transmission link, line or path for transmitting the non-sensitive data outside of the server-system level, as is the case with the system of Grunner.

As stated in the present Application

5 “an architecture 300 has web interface tier 350 with web servers 304 and 305.
The web interface tier 350 is connected to the web 301 at the systems level
through a bus 327 having an in-line router device or a firewall device 302 for
providing a restricted data transmission pathway 325 between the system 300 and
the web 301. The restricted data transmission pathway 325 is used for
10 transmitting potentially sensitive data between the system 300 and the web 301.
The system 300 is also connected to the internet 301 by a non-restricted
transmission pathway 326. The non-restricted pathway 326 is for transmitting
non-sensitive data between the system 300 and the web 301. Preferably, the
system 300 has a load balancer 303 which coordinates data transmissions or
15 directs traffic between customers accessing web pages or HTML files stored on
the web servers 304-305.

Still referring to Figure 3, the system 300 also has an application tier 351 with
application servers 307-308 and a file server 306. The data base tier has data base
20 devices 309-310 which provide the data storage and data management required for
the system 300. The system 300 that is illustrated in the Figure 3, is intended to
be exemplary only. The “multi-path data transmission architecture” (MPDTA) of
the current invention can be practiced with web support systems configured for
any number of web servers, application servers and data base devices.

25 Still referring to Figure 3, the system 300 preferably determines whether or not
data is potentially sensitive at the systems level. If the data is determined to be
potentially sensitive, the system 300 routes the data over the bus 327 through the
data transmission path 325 and through the router device 302. If the system 300
30 determines that the data is non-sensitive, then the system 300 routes data over the
bus 327 through the non-restricted data path 326.

By providing discretionary data transmissions at the systems level, the amount of data that is required to be transmitted through the router 302 is greatly reduced and the system 300 is capable of supporting higher volumes of data transmission than a similar system with a single data transmission pathway between the system and the web 301. As a result of the increase system efficiency provided by the multi-path data transmissions architecture of the instant invention, the system 300 can support additional components integrated into the system in the direction 312 without requiring an additional router device or without splitting the devices between multiple web addresses.” [Specification, pages 9-11]

Applicant contends that the features of web server architecture comprising a web interface for providing a plurality of data transmission paths to the web, wherein at least one of the plurality of data transmission paths is an unrestricted data transmission path and wherein at least one of the plurality of transmission paths is a restricted data transmission path such as recite in the independent Claim 1 are neither taught nor suggested by the teachings of Grunner. In order to further emphasize the distinction between the present invention and the teachings of Grunner, the independent Claim 1 has been amended to recite providing a plurality of data transmission paths to the web and directly between the web interface and the web. For at least these reasons the independent Claim 1 is allowable over the teaching of Grunner.

Claim 3 depends on the independent Claim 1. As described above, the independent Claim 1 is allowable over the teachings of Grunner. Accordingly, Claim 3 is allowable as being dependent on an allowable base claim.

Rejections Under 35 U.S.C. § 103(a)

Within the Office Action, Claims 2, 14 and 21-23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Grunner in view of U.S. Patent No. 6,192,410 to Miller et al. (hereafter “Miller”). The Applicant respectfully traverses these rejections for the following reasons.

Claim 2 depends on the independent Claim 1. As described above, the independent Claim 1 is allowable over the teachings of Grunner. Accordingly, Claim 2 is allowable as being dependent on an allowable base claim.

For the same reasons as stated above, the Applicant contends that Grunner fails to teaches

the salient features of the invention which include a "multi-path data transmission architecture" (MPDTA) at the systems level for controlling transmissions of sensitive and non-sensitive data at the server system level and between the web. However, in order to further emphasize these features, Claim 14 has been amended to recite routing non-sensitive data through a non-restricted pathway directly between the web and the web server network and routing sensitive data through a restricted pathway between the web and the web server network, wherein the restricted pathway comprises a firewall device located between the web and the web server network. It is also clear that while Miller teaches the use of a firewall, Miller fails to teach a multi-path data transmission architecture at the server-systems level as claimed in the present invention. For at least these reasons the independent Claim 14 is allowable over the teachings of Grunner, Miller and their combination.

Claims 21-23 all depend on the independent Claim 14. As described above, the independent Claim 14 is allowable over the teachings of Grunner, Miller and their combination. Accordingly, Claims 21-23 are also all allowable as being dependent on an allowable base claim.

For the reasons given above, Applicant respectfully submits that Claims 1-3, 14 and 21-23 are now in a condition for allowance, and allowance at an early date would be appreciated. If the Examiner has any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss them so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

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By: Thomas B. Haverstock
Thomas B. Haverstock
Reg. No.: 32,571
Attorneys for Applicants

CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

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